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**Medtronic**

## Facsimile Cover Sheet

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**Date:** November 17, 2004  
**Pages including this cover page:** 3

**Comments:**

**Applicants:** Robert W. Stadler et al.  
**SN:** 10/023,234  
**Filed:** December 18, 2001  
**For:** RHYTHM-BASED TRANSITION TO DISCRIMINATORY  
ARRHYTHMIA CLASSIFICATION  
**DOCKET:** P-9888.00  
**Group Art Unit:** 3762

☒ Request for Continued Examination (RCE) Transmittal

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DOCKET NO.: P9888.00

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**RCE TRANSMITTAL**

In re Application of: Robert W. Stadler et al.

For: RHYTHM-BASED TRANSITION TO DISCRIMINATORY ARRHYTHMIA CLASSIFICATION

Serial No.: 10/023,234

Filed: December 18, 2001

CERTIFICATE UNDER 37 CFR §1.8 I hereby certify that this Transmittal and the paper(s), as described herein are being sent via facsimile No. (703) 872-9306, addressed to the Commissioner for Patents, Mail Stop RCE, on this 17<sup>th</sup> day of November, 2004.

  
\_\_\_\_\_  
Signature  
MOLLY CHLEBECK  
\_\_\_\_\_  
Printed Name

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450,  
Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

- X Request for RCE Transmittal
- X Please charge Deposit Account No. 13-2546 in the amount of \$770.00 for the RCE fee as required under 37 CFR 1.17(e).
- X Please charge any additional fees or credits to Deposit Account No. 13-2546 which may have been overlooked on this Transmittal with regard to this filing. A duplicate of this transmittal is enclosed.
- X Applicant believes that no extension of time is required. However, if an extension of time is required, please consider this a petition therefor to provide for the possibility that applicant has inadvertently overlooked the need for an extension of time.

Date

11/17/04

Daniel G. Chapik, Reg. No. 43,424

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Customer No. 27581

PTO/SB/30 (08-00)

Approved for use through 10/31/2002. OMB 0851-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<p style="text-align: center;"><b>Request FOR Continued Examination (RCE) TRANSMITTAL</b></p> <p>Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, Provides for continued examination of an utility or plant application</p> <p style="text-align: center;">Filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Application Number</td> <td>10/023,234</td> </tr> <tr> <td>Filing Date</td> <td>December 18, 2001</td> </tr> <tr> <td>First Named Inventor</td> <td>Robert W. Stadler et al.</td> </tr> <tr> <td>Group Art Unit</td> <td>3762</td> </tr> <tr> <td>Examiner Name</td> <td>G. Manuel</td> </tr> <tr> <td>Attorney Docket Number</td> <td>P9888.00</td> </tr> </table>	Application Number	10/023,234	Filing Date	December 18, 2001	First Named Inventor	Robert W. Stadler et al.	Group Art Unit	3762	Examiner Name	G. Manuel	Attorney Docket Number	P9888.00
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Filing Date	December 18, 2001												
First Named Inventor	Robert W. Stadler et al.												
Group Art Unit	3762												
Examiner Name	G. Manuel												
Attorney Docket Number	P9888.00												

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.  
**Note:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

**1. Submission required under 37 C.F.R. § 1.114**

a. ☒ Previously submitted

i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on September 22, 2004  
amendment(s) referred to above will be entered.

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

iii. ☐ Other \_\_\_\_\_

b. ☐ Enclosed

i. ☐ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Other \_\_\_\_\_

**2. Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)

b. ☐ Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 13-2546

i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)

ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$\_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print/Type)	Daniel G. Chapik	Registration (Attorney/Agent)	No. 43,424
Signature		Date	11/17/04

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:	
Name (Print/Type)	Molly Chlebeck
Signature	Date

**Burden Hour Statement:** This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address:** Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.